

REMARKS

As a preliminary matter, Applicants appreciate the Examiner's indication that Claims 35-42 and 55-62 have been allowed.

Claims 23-34 and 43-54 stand rejected under 35 U.S.C. § 102 (e) as being anticipated by Japanese Patent Publication No. 07-244295 to Hirano Takuya et al. Applicants respectfully traverse this rejection.

Applicants respectfully submit that it is improper to use the Hirano Takuya et al. reference in a §102(e) rejection because a §102(e) rejection can only be based on a United States Patent, a United States Patent Application Publication or a WIPO Publication of an International Publication under PCT Article 21(2). Since the Hirano Takuya et al. reference does not fall into one of these three categories of references, but is instead a Japanese Patent Publication, the Hirano Takuya et al. reference does not qualify as prior art under §102(e). Accordingly, withdrawal of this §102(e) rejection is respectfully requested.

Additionally, the Japanese priority date of the present application is May 31, 1995, which is before the September 9, 1995 publication date of the Hirano Takuya et al. reference. Accordingly, if a verified translation of the Japanese Priority application were to be filed, the Hirano Takuya et al. reference would not qualify as prior art under any of the other subsections of §102 either, such as §102(a). However, as discussed below, Applicants submit that since the Hirano Takuya et al. reference does not disclose all of the features of independent Claims 23, 29, 43 and 49, Applicants respectfully submit that a verified translation of the Japanese priority document is not necessary.

The present invention of independent Claims 23, 29, 43 and 49 includes the following elements (1) to (7):

- (1) a first conducting film formed on an insulating substrate;
- (2) a first insulating film formed on the first conducting film;
- (3) a second conducting film formed on the first insulating film;
- (4) a second insulating film formed on the first insulating film and the second conducting film;
- (5) a first contact hole formed in the first insulating film and the second insulating film through the first conducting film;
- (6) a second contact hole formed in the second insulating film through the second conducting film; and
- (7) a third conducting film formed between the first contact hole and the second contact hole on the second insulating film, the first conducting film being connected to the third conducting film via the first contact hole, the second conducting film being connected to the third conducting film via the second contact hole.

One example of an embodiment of the invention of independent Claims 23, 29, 43 and 49 is described in Applicants' Specification starting from page 41, line 14, to page 41, line 8, and FIG. 25 and a sectional view along the line B-B' in FIG. 26. For your convenience, following is the text from page 41, line 14, to page 41, line 8, in which elements of Claims 23, 29, 43 and 49 are added in parenthesis, as follows:

A sectional structure of the vicinity of the gate connection lines 24a, 24b will be explained with reference to the plan view of FIG. 25 and a sectional view along the line B-B' in FIG. 26.

On the transparent insulating substrate 10, the gate connection line 24b and the thin connection lines 26a of the same layer [first conducting film] as the metal layer 46 are formed. On the metal layer 46, the first insulating film 48 [first insulating film] is formed. On the first insulating film 48, the gate connection line 24a [second conducting film] of the same layer as the semiconductor active layer 50 [second conducting film] and the metal layer 52 [second conducting film] is formed. The second insulating film 54 is formed on the first insulating film 48 and the gate connection line 24a [second conducting film]. The contact holes 27a [second contact hole] are formed in the second insulating film 54 and reach the gate connection line 24a [second conducting film]. The contact holes 27b [first contact hole] are formed in the first and the second insulating films 48, 54 and reach the thin connection lines 26a [first conducting film]. On the second insulating film 54, the connection line 25 [third conducting film] of the same layer as the transparent electrode film 56 is formed and interconnects the thin connection lines 26a [first conducting film] and the gate connection line 24b [second conducting film] through the contact holes 27a, 27b [first and second contact holes].”

As discussed below, Applicants respectfully submit that the Takuya et al. reference fails to disclose all of the features of independent Claims 23, 29, 43 and 49.

First, the Examiner refers to "a first conducting film 52" and "a second conducting film 53" at page 3, lines 2, 3, 5, 8 and 9 in the Office Action. Specifically, the Examiner asserts that "the ITO film 52" in Takuya corresponds to "a first conducting film" in the present invention, and that "the Cr film 53" in Takuya corresponds to "a second conducting film" in the present invention. However, Applicants respectfully submit that the Examiner's assertion is incorrect. In the Takuya et al. reference, as shown in Fig. 1b, the Cr film is formed directly on the ITO film 52, and thus the Cr film is electrically connected to the ITO film 52. However, in the present invention of Claims 23, 29, 43 and 49, the second conducting film is formed on the first insulating film, which is formed on the first conducting

film. Thus, the second conducting film is not electrically connected to the first conducting film. Accordingly, the Takuya et al. reference does not disclose "a second conducting film," as defined in independent Claims 23, 29, 43 and 49.

Second, the Examiner refers to "a third conducting film 57" at page 3, the fourth line from the bottom in the Office Action. Specifically, the Examiner asserts that "the Al film 57" in Takuya corresponds to "a third conducting film" in the present invention." However, Applicants respectfully submit that this assertion is also incorrect. In the Takuya et al. reference, as described in paragraph [0022], the Al film 57 is the gate bus line 26 which is formed along with the pixel electrodes 21. The gate bus line 26 is commonly connected to the TFTs of the pixel electrodes 21. However, in the present invention of Claims 23, 29, 43 and 49, the third conducting film is only for connecting the first conducting film and the second conducting film. Thus, the third conducting film is separately formed on each of the pixel electrodes. Accordingly, the Takuya et al. reference does not disclose "a third conducting film," as this feature is defined in Claims 23 29, 43 and 49.

Third, the Examiner refers to "a second insulation film 56" at page 3, lines 4, 8 and 9 in the Office Action. Specifically, the Examiner asserts that "the SiN film 56" in the Takuya et al. reference corresponds to "a second insulation film" in the present invention." Additionally, the Examiner also refers to "gate insulating films [that] are made of the first insulation film" regarding Claim 24, at page 4, lines 4-5, in the Office Action. However, Applicants respectfully submit that these assertions are inconsistent with each other. In the Takuya et al. reference, as described in paragraph [0021], the SiN film 56 is a gate insulating

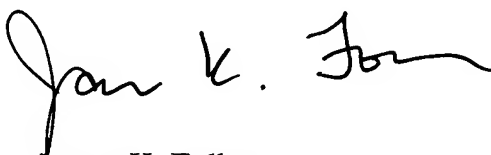
(dielectric) film, which means that the second insulation film is the gate insulation film. This is inconsistent with the Examiner's assertion about Claim 24 that the first insulation film is the gate insulating film. Accordingly, the Takuya et al. reference does not disclose "a second insulation film," as defined in independent Claims 23, 29, 43 and 49.

Thus, since all of the claimed features of independent Claims 23, 29, 43 and 49 are not disclosed in the Takuya et al. reference, Applicants respectfully submit that independent Claims 23, 29, 43 and 49, and associated dependent Claims 24-28, 30-34, 44-48 and 50-54 should all be allowed.

For all of the above reasons, Applicants request reconsideration and allowance of the claimed invention. Should the Examiner be of the opinion that a telephone conference would aid in the prosecution of the application, or that outstanding issues exist, the Examiner is invited to contact the undersigned.

Respectfully submitted,

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